

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

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STRYKER CORPORATION and  
HOWMEDICA OSTEONICS CORP.,

Plaintiffs,

Case No. 1:05-CV-0051

vs.

HON. ROBERT HOLMES BELL

NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA, XL  
INSURANCE AMERICA, INC., formerly  
known as WINTERTHUR INTERNATIONAL  
AMERICA INSURANCE COMPANY, and  
TIG INSURANCE COMPANY,

Defendants.

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**PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**  
**AGAINST XL INSURANCE AMERICA, INC.**

Plaintiffs move for summary judgment against XL Insurance America, Inc. This motion is brought under Fed. R. Civ. P. 56. It is supported by an accompanying brief, which is being filed under seal.

As required by LCivR 7.1(d), undersigned has sought concurrence of opposing counsel of this motion. The undersigned was unable to obtain concurrence.

MILLER JOHNSON  
Attorneys for Plaintiffs

Dated: February 12, 2008

By /s/ D. Andrew Portinga  
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